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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,462	02/20/2001	Kathryn A. Jones	PM 0271434	6361

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EXAMINER

BAYERL, RAYMOND J

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/785,462	Applicant(s) JONES ET AL.	
	Examiner Raymond J. Bayerl	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 26 is/are pending in the application.
- 4a) Of the above claim(s) 1 - 5, 24 - 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6 - 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u> |

Continuation of Attachment(s) 6). Other: Excerpt from Microsoft Press Computer Dictionary.

Art Unit: 2173

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 6 – 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Li (“Li”; US #6,609,050 B2).

The “programmable apparatus”, “method” and “machine readable medium” of the respective independent claims 6, 10, 14 are anticipated by the VEHICLE WARRANTY AND REPAIR COMPUTER-NETWORKED SYSTEM of Li. Specifically, and with reference to fig 7, a “branding region” has its counterpart in the C.O.S.M. section of the interface, in which a DaimlerChrysler logo is presented. The “task bar” claimed appears at the bottom of the interface in fig 7, with the initial button WS /97-2321. A “content region” reads upon the section 200, where the Customer Description of a COMPLAINT is entered. The “context region” in Li appears at the left side of the interface, with Write-Up ID and spaces for additional staff involvement below. Please note further that when the Li user advances through “a plurality of different applications”, as seen in figs 7 then 8 (e.g., fig 7’s screen for the “application” of entering a COMPLAINT (Main Screen \ Line Item Analysis), and fig 8’s screen for another “application” of performing Computer Diagnostics (Main Screen \ Desired Services Details \ Computer Diagnostics)), “a location and size of each region and the task bar remains substantially constant, despite changes in content displayed in each region”.

As per claims 7, 11, 15, “user identification” such as John Brogan or Philborn, S. is given a “portion” in Li. Then, in the Analysis Required section (fig 9), “a list button region” is presented. The items of the Li “task bar” provide “user assistance” and

Art Unit: 2173

“action buttons”, while the indication of specific personnel under the Phone menu at the left side provides “relationship buttons”.

Claims 8, 12, 16 elaborate upon the contents of the regions of the independent claims, using items “selected from the group consisting of”, where the prior art illustration of any one member of the “group” is sufficient to read upon the claim. In particular, the “branding” that is established by the DaimlerChrysler indicia in Li’s fig 7 includes “automobile service provider names”, as in John Brogan, Service Advisor. The “context region”, in listing a Write-Up person (Philborn, S.) has “automobile service order information”—the individuals who will attend to the service request. In the “content region”, “information relating to” “activities and processes” is seen, as in the customer’s indication of COMPLAINT in fig 7. This “content region” also has “vehicle data” in the form of Symptoms, as they are represented in fig 8.

As per the “information pertaining to an automobile repair order” in claims 9, 13, 17, also with “information...selected from the group consisting of”, the Analysis Required section of the Li interface has Est Hrs as an entry (fig 9), thus reading upon “time to complete the ordered repair”.

3. Claims 18 – 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kerkinni (“Kerkinni”; US #2002/0107833 A1).

As in independent claims 18, 20, 22, Kerkinni’s METHOD AND SYSTEM FOR TRACKING EQUIPMENT USAGE INFORMATION reports usage information for equipment such as leased vehicles, automobiles (Abstract). Within an interface such as seen in Kerkinni’s fig 9, a FLEET NUMBER and EMPLOYEE ID dialog give access

Art Unit: 2173

to “a plurality of display regions” such as the one in fig 10. These are regions that are “each...**corresponding to** a different automobile lease term”, that being the one afforded an EMPLOYEE such as SHERMAN, P. Kerkinni supports plural users having “different” “lease term” specifics. Then, the line items into which the individualized REPORT is divided provide “information **pertaining to** available lease programs” that are instituted for each UNIT item in the FLEET. These include at least “the lease term”, as in the DAYS AVAILABLE indication.

Also in Kerkinni, and as in claims 19, 21, 23, when the display is presented responsive to the user dialog, an “input requesting a sort of the information displayed” is entered, since the DATE SUBMITTED is presented in chronological order.

4. Applicant's arguments filed 9 November 2005 have been fully considered but they are not persuasive.

As per Li, applicant argues at pages 16 – 17 that “the regions in the respective user interfaces of Figures 7 and 8 remain constant with respect to the same application”, and “Therefore, Li does not teach that the location and size of the various regions of the respective interfaces of Figures 7 and 8 remain substantially constant for a plurality of different applications”. However, a reasonable interpretation of “different applications” as in claim 6 is one that reads upon Li’s “different” screens for COMPLAINT and Diagnostics in the figures noted. In the Microsoft Press Computer Dictionary, Third Edition (see attached copy), an application is A program designed to assist in the performance of a specific task, and entry of COMPLAINT and performance of Diagnostics are different tasks.

Concerning Kerkinni, applicant argues at pages 17 – 18 that “Kerkinni teaches a plurality of display regions corresponding to a single lease term”, and “Kerkinni fails to teach a plurality of display regions corresponding to different automobile lease terms.” However, the claim merely recites that “a graphical user interface” has “display regions”, with “each...corresponding to a different automobile lease term” (claim 18 quoted as exemplary). In calling the screens for “different” particular employees, the “regions” that result in the “interface” will then correspond to the various, “different” leases that the employees have in Kerkinni.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2173


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

During a new and updating search of the relevant prior art, the Examiner noted that Murphy et al. (US #2002/0052778 A1) relates to new vehicle transaction enablement through automobile dealers.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - Th from 9:00 AM to 4:00 PM ET.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (571) 273-8300.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

17 January 2006